



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

TRG  
Docket No: 7898-06  
22 January 2008

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 January 2008. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps on 29 April 1969 for three years and served in an excellent manner until you were honorably discharged on 18 June 1971 for the purpose of reenlisting. During your active duty, you served in Vietnam and were wounded in action.

You reenlisted in the Marine Corps for six years on 18 June 1971 (probably should be 19 June). On 4 May 1972 you were promoted to staff sergeant. During the period from 29 August 1973 to 3 January 1977, you received nonjudicial punishment on six occasions. Your offenses were using profane language toward recruits, dereliction of duty, wrongfully wearing unauthorized awards and decorations, wearing improper liberty attire and three periods of unauthorized absence totaling about three days.

The record shows that you were then an unauthorized absentee from 16 March to 24 August 1977, a period of about 158 days. There is no court-martial documentation or other correspondence concerning processing for an administrative discharge filed in your service record. However, on 20 October 1977 you were discharged under other than honorable conditions. The DD Form 214 indicates that you only had 96 days of lost time.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your prior honorable service and your contentions that you were an excellent Marine until you were overcome by your personal problems and alcohol abuse. You contend that you have overcome your problems and have been a good citizen and gainfully employed for many years. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given your extensive disciplinary record and especially your last lengthy period of unauthorized absence. The Board concluded that the discharge was proper as issued and no change is warranted.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board believes that you may be eligible for veterans benefits based on your prior honorable service and several years of good service in your second enlistment. If you have been denied benefits, you should appeal that denial under procedures established by the Department of Veterans Affairs.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

  
W. DEAN PFEIFFER  
Executive Director